



38TH FLOOR ONE OXFORD CENTRE PITTSBURGH, PA 15219  
412.263.2000 FAX: 412.263.2001  
WWW.PIETRAGALLO.COM

DIRECT DIAL NO.: 412.263.1816  
DIRECT FAX NO: 412.263.4246  
FILE NO.: MYLAN-112578  
EMAIL: cct@pietragallo.com

March 27, 2023

**Via ECF**

The Hon. Robert B. Kugler  
United States District Judge  
USDC, District of New Jersey  
Mitchell H. Cohen Building & U.S. Courthouse  
4<sup>th</sup> & Cooper Streets, Room 1050  
Camden, NJ 08101

Special Master the Hon. Thomas Vanaskie  
Stevens & Lee  
1500 Market Street, East Tower, 18th Floor  
Philadelphia, PA 19103

Re: *In re Valsartan, Losartan, and Irbesartan Products Liability Litigation*  
USDC, District of New Jersey, No. 1:19-md-2875-RBK-SAK

Dear Judge Kugler and Judge Vanaskie:

I write on behalf of the Defendants' Executive Committee to provide Defendants' positions with respect to the topics on the agenda for the conference with the Court on Wednesday, March 29, 2023. Defendants do not anticipate that any of the matters to be discussed at the conference will require confidentiality.

**1. Defendants' Joint Motion to Stay Proceedings Pending Appeal Pursuant to Federal Rule of Civil Procedure 23(f)**

The Motion to Stay has been fully briefed and Defendants will be prepared to address it at the conference.

**2. Plaintiff Fact Sheet Deficiencies and Orders to Show Cause**

**Cases Addressed at the February 28, 2023 Case Management Conference:**

The Court issued four (4) show cause orders returnable at the March 29, 2023, Case Management Conference:

1. *Estate of Gale Barber v. ZHP, et al.* – 22-cv-5051
2. *Mary Ann Knudson v. ZHP, et al.* – 22-cv-4813

The Honorable Robert B. Kugler  
 Special Master the Honorable Thomas Vanaskie  
 March 27, 2023  
 Page 2

3. *Diana R. Balay, Personal Representative of Esteban C. Rodriguez, Deceased, v. Aurobindo Pharma Ltd., et al. v. Aurobindo, et al* – 22-cv-05040
4. *Mark Czajkowski v. ZHP, et al.* – 22-cv-5582

The issues in the *Barber*, *Knudson*, and *Balay* matters are resolved, and the show cause orders may be withdrawn.

The issues in the *Czajkowski* matter remain unresolved, but the parties agree to an extension of the show cause order until the next case management conference.

**Second Listing Cases – Order to Show Cause Requested:**

Pursuant to CMO-16, the Plaintiff Fact Sheets in the below cases are substantially incomplete and contain core deficiencies. Each of these cases were previously listed on the agenda for a prior CMC. This list was provided to Plaintiffs' leadership on March 22, 2023, and a global meet and confer was held on March 24, 2023. Defendants have also been available for further discussion as needed. Accordingly, Defendants request that an Order to Show Cause be entered in each of these cases, returnable at the next case management conference, as to why these cases should not be dismissed.

Defense counsel will be prepared to address the individual issues with respect to each of these cases, to the extent necessary, during the March 29, 2023, Case Management Conference:

	Plaintiff	Civil Action No.	Law Firm	Deficiencies	Deficiency Sent
1.	Estate of Juanita Calhoun v. ZHP, et al.	22-cv-05654	Moore Law Group	Need medical expenses.	1/5/23

The Honorable Robert B. Kugler  
 Special Master the Honorable Thomas Vanaskie  
 March 27, 2023  
 Page 3

2.	Nancy Lalonde	21-cv-02620	Law Offices of Michael S. Mehrmann	I.C. – all listed NDC codes are for products other than valsartan; pharmacy and medical records make no mention of valsartan prescription or use; need undated authorizations in proper format; largely deficient PFS.	12/13/2022
3.	Yvonne Trautman v. Aurobindo Pharma, Ltd., et al.	22-cv-05471	Fleming, Nolen & Jez, L.L.P	No authorizations; largely incomplete PFS containing numerous areas only stating “will supplement”	12/5/22
4.	David Andreotti, et al. v. Mylan Laboratories, Ltd., et al.	22 - CV- 05291	Meshbeshier & Spence, Ltd.	No medical expenses	12/5/22

### **First Listing Cases – Remaining Core Deficiencies:**

The following Plaintiff Fact Sheets contain core deficiencies which remain unresolved. This list was provided to Plaintiffs’ leadership on March 22, 2023, and a global meet and confer was held on March 24, 2023. Defendants have also been available for further discussion as needed. This is the first time these cases have been listed on this agenda. Accordingly, Defendants are not requesting orders to show cause with respect to any of the below cases at this time and will continue to meet and confer to resolve these deficiencies.

	Plaintiff	Civil Action No.	Law Firm	Deficiencies	Deficiency Sent
--	-----------	------------------	----------	--------------	-----------------

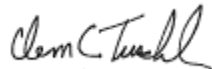
The Honorable Robert B. Kugler  
Special Master the Honorable Thomas Vanaskie  
March 27, 2023  
Page 4

1.	Estate of Joseph Kreseski v. ZHP, et al.	22-cv-06374	Levin Papantonio	Need medical expenses	1/23/23
2.	Deborah Bixler v. ZHP, et al.	22-cv-6653	Levin Papantonio	<p>II.H.3 - Failed to provide complete information.</p> <p>II.H.4 - Failed to provide complete information;</p> <p>III.A.1.a - Failed to provide complete information. - Please clarify. Diagnosis was likely not in 1900s.</p> <p>Need medical expenses</p> <p>VII.a-b - Failed to respond.</p> <p>VII.b. - Failed to respond - need cancer surgery details</p>	2/8/23
3.	Estate of Arlene Cohen v. Aurobindo, et al.	22-cv-07349	Carlson Law Firm	Largely deficient PFS	2/8/23
4.	Mark Emamder v. Zhejiang Huahai Pharmaceutical Co., Ltd., et al	22-cv-6383	Martin, Harding & Mazzotti, LLP	No medical expenses for South County Hospital	1/20/23
5.	Diane Hardwick v. Aurobindo Pharma, Ltd. et al	22-cv-06397	Fleming Nolen & Jez	No medical expenses for hospital providers	1/23/23
6.	Estate of Hamid Ahmadi v. ZHP, et al.	22-cv-06961	Levin Papantonio	No PFS Filed	PFS Due – 2/2/23
7.	Michael Goss v. ZHP, et al.	22-cv-6966	Levin Papantonio	No PFS Filed	PFS Due – 2/2/23

The Honorable Robert B. Kugler  
 Special Master the Honorable Thomas Vanaskie  
 March 27, 2023  
 Page 5

8.	Estate of Steven Jiles v. ZHP, et al.	22-cv-5628	Seithel Law	No PFS Filed	PFS Due – 2/19/23
9.	Thomas Twardowsky	22-cv-7610	Levin Papantonio	No PFS Filed	PFS Due – 3/1/23
10.	Donald Seifert v. Mylan, et al	22-cv-6727	Brown Chiari	No PFS Filed	PFS Due – 3/26/23
11.	Rafael Feria v. Teva, et al.	23-cv-485	Nigh Goldenberg	No PFS Filed	PFS Due – 3/27/23
12.	Mina Cole v. ZHP, et al.	23-cv-501	Watts Guerra	No PFS Filed	PFS Due – 3/27/23

Respectfully submitted,



Clem C. Trischler

c: All counsel of record (via ECF)